

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

|                                |   |                           |
|--------------------------------|---|---------------------------|
| INTERMARINE, LLC,              | § |                           |
|                                | § |                           |
| Plaintiff,                     | § |                           |
|                                | § |                           |
| VS.                            | § | CIVIL ACTION NO. H-14-145 |
|                                | § |                           |
| SPLIETHOFF BEVRACHTINGSKANTOOR | § |                           |
| B.V., <i>et al.</i> ,          | § |                           |
|                                | § |                           |
| Defendants.                    | § |                           |

**ORDER**

This order resolves several pending motions. Intermarine has moved to seal its brief in opposition to Spliethoff's motion for summary judgment. (Docket Entry No. 97). The defendants do not oppose this motion, and it is granted.

Intermarine has moved to hold the pending summary judgment motions in abeyance until the new discovery authorized on February 27, 2015 is completed and both parties are given an opportunity to supplement their summary judgment submissions. (Docket Entry No. 104). Intermarine also asks the court to: (1) give it until May 1, 2015, two weeks after the April 16, 2015 deadline for Spliethoff to respond to Intermarine's supplemental interrogatories, to supplement its summary judgment submissions; (2) give Spliethoff until May 15, 2015 to respond to Intermarine's supplemental submission; (3) accept its amended statement of material facts, (Docket Entry No. 103), that corrects clerical errors, adds record citations, and supplements based on recent discovery; (4) accept its corrections, (Docket Entry No. 99), to citation errors appearing in eleven footnotes of its brief in opposition to Spliethoff's motion for summary judgment; (5) accept its supplementation of the summary judgment record with several pages of inadvertently omitted deposition testimony, Rune Larsen's signed declaration, and Kasper Bihlet's discovery responses, (Docket Entry No. 100,

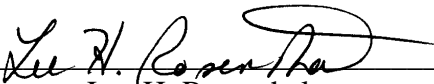
101); and (6) allow it to withdraw Claim 4 from its complaint, as stated in its Notice of Withdrawing Claim 4. (Docket Entry No. 104 at 1-3, Docket Entry No. 98).

Spliethoff opposes the motion in part. (Docket Entry No. 106). Spliethoff does not object to allowing Intermarine to file an amended statement of material facts, to correct its citation errors and evidentiary omissions, or to withdraw Claim 4 from the original complaint. Spliethoff does oppose Intermarine's request to hold the summary judgment motions in abeyance, arguing that this conflicts with the court's existing scheduling order. (Docket Entry No. 106). Kasper Bihlet has moved to join in Spliethoff's response. (Docket Entry No. 108). The court grant's Bihlet's motion.

In light of the additional discovery authorized on February 27, 2015, the court grants Intermarine's motion to hold in abeyance and for additional relief, (Docket Entry No. 104). By **May 1, 2015**, Intermarine may supplement its summary judgment brief with a filing of no more than 10 pages. By **May 15, 2015**, Spliethoff may file a response of no more than 10 pages. The court will hold oral argument on the summary judgment motions on **May 26, 2015**, at 4:00 p.m. The existing May 2015 deadlines for filing the joint pretrial order, motions in limine, and docket call are canceled pending disposition of the summary judgment motions and will be reset as appropriate.

The parties are directed to appear for a hearing to address the summary judgment motions and supplemental briefing, on **May 26, 2015**, at 4:00 p.m. in Courtroom 11-B, 515 Rusk Street, Houston, Texas 77002.

SIGNED on April 23, 2015, at Houston, Texas.

  
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Lee H. Rosenthal  
United States District Judge